

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

MICHAEL P. AND SHELLIE GILMOR,

Plaintiffs,

v.

PREFERRED CREDIT CORPORATION,  
et al.,

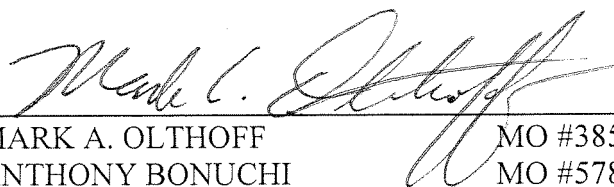
Defendants.

Case No. 4:10-CV-00189-ODS

**DEFENDANT COUNTRYWIDE HOME LOANS, INC.'S PRIVILEGE LOG**

Defendant Countrywide Home Loans, Inc. ("Countrywide") submits this Privilege Log with respect to Plaintiffs' First Request for Production of Documents (the "Discovery"). Countrywide does not concede that any document logged is responsive to the Discovery or relevant to this litigation in which Countrywide is not alleged to have originated the alleged class loans and Countrywide has acted solely as a servicer of a small number of alleged class loans originated by Preferred Credit Corporation. Nevertheless, out of an abundance of caution, this Privilege Log identifies privileged documents that were created for use in other lines of business or capacities of Countrywide that are not relevant to this case but which are nonetheless privileged. If the Court orders production of the documents on the Privilege Log, Countrywide reserves the right to redact irrelevant material from such documents and to utilize such restrictions the Court allows so as not to waive other applicable privileges and objections as well as to minimize the potential for undue burden and prejudice.

Respectfully submitted,



MARK A. OLTHOFF

MO #38572

ANTHONY BONUCHI

MO #57838

POLSINELLI SHUGHART PC

1700 Twelve Wyandotte Plaza

120 West 12th Street

Kansas City, Missouri 64105-1929

(816) 421-3355

(816) 374-0509 (FAX)

[molthoff@polsinelli.com](mailto:molthoff@polsinelli.com)

[abonuchi@polsinelli.com](mailto:abonuchi@polsinelli.com)

David L. Permut

Goodwin Procter LLP

901 New York Avenue, NW

Washington, DC 20001

(202) 346-4029

(202) 346-4444 (FAX)

[thefferon@goodwinprocter.com](mailto:thefferon@goodwinprocter.com)

[dpermut@goodwinprocter.com](mailto:dpermut@goodwinprocter.com)

ATTORNEYS FOR COUNTRYWIDE HOME  
LOANS, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing document was served via United States mail, postage prepaid, this 1st day of March, 2011, to:

R. Frederick Walters, Esq.  
Kip D. Richards, Esq.  
David M. Skeens, Esq.  
Garrett M. Hodes, Esq.  
Walters Bender Strohbehn & Vaughan  
2500 City Center Square  
1100 Main Street  
Kansas City, MO 64105

Attorneys for Plaintiffs

Mark A. Olthoff, Esq.  
Anthony Bonuchi, Esq.  
Polsinelli Shughart PC  
1700 Twelve Wyandotte Plaza  
120 West 12th Street  
Kansas City, MO 64105

Peter W. Carter, Esq.  
Paul R. Dieseth, Esq.  
Dorsey & Whitney LLP  
50 South 6th, Suite 1500  
Minneapolis, MN 55402-149

Attorneys for Defendants U.S. Bank National Association, Empire Funding Home Loan Owner Trust 1998-1, U.S. Bank National Association ND and Wilmington Trust Company

Barry L. Pickens, Esq.  
Spencer Fane Britt & Browne  
1000 Walnut Street, Suite 1400  
Kansas City, MO 64106-2140

R. Bruce Allensworth, Esq.  
Kirkpatrick & Lockhart LLP  
75 State Street  
Boston, MA 02109

Daniel J. Tobin, Esq.  
Ballard Spahr Andrews & Ingersoll, LLP  
4800 Montgomery Lane, 7th Floor  
Bethesda, MD 20814

Attorneys for Defendants Impac Funding Corp., Impac Mortgage Holdings, Inc., Impac Secured Assets Corp., IMH Assets Corp. a/k/a Impac Mortgage Holdings Asset Corporation, Deutsche Bank National Trust Company f/k/a Bankers Trust Company of California, N.A, Credit-Based Asset Servicing & Securitization, LLC, Litton Loan Servicing LP, Wells Fargo Bank N.A. f/k/a Wells Fargo Bank, MN, N.A. (in its capacity as former trustee for terminated trust Impac Mortgage Pass-Through Certificates 2000-1), and LaSalle National Bank (in its capacity as former owner trustee of terminated trust Impac CMB Trust Series 1999-1)

Leslie A. Greathouse, Esq.  
Spencer Fane Britt & Browne LLP  
1000 Walnut Street, Suite 1400  
Kansas City, MO 64106-2140

Attorneys for Defendants Deutsche Bank Trust Company Americas, Preferred Mortgage Trust 1996-1, Preferred Mortgage Trust 1996-2, and Preferred Credit Trust 1997-1

Randolph G. Willis, Esq.  
Rasmussen, Willis, Dickey & Moore, LLC  
9200 Ward Parkway, Suite 310  
Kansas City, MO 64114-3379

Thomas L. Allen, Esq.  
Roy W. Arnold, Esq.  
Reed Smith LLP  
225 Fifth Avenue, Suite 1200  
Pittsburgh, PA 15222

Attorneys for Sovereign Bank

Craig S. O'Dear, Esq.  
Irving V. Belzer, Esq.  
Bryan Cave LLP  
3500 One Kansas City Place  
1200 Main Street  
Kansas City, MO 64105

Michael G. Biggers, Esq.  
Bryan Cave LLP  
3600 One Metropolitan Square  
211 N Broadway  
St. Louis, MO 63102

Attorneys for Defendants Residential Funding Company, LLC and JP Morgan Chase Bank,  
N.A., as Trustee

Mark A. Olthoff, Esq.  
Anthony Bonuchi, Esq.  
Polsinelli Shughart PC  
1700 Twelve Wyandotte Plaza  
120 W. 12th St.  
Kansas City, MO 64105

Harry S. Davis, Esq.  
Marcy Ressler Harris, Esq.  
Marguerite Gardiner, Esq.  
Schulte Roth & Zabel LLP  
919 Third Avenue  
New York, NY 10022

Attorneys for Defendant Credit Suisse First Boston Mortgage Securities Corp.

Mark A. Olthoff, Esq.  
Anthony Bonuchi, Esq.  
Polsinelli Shughart PC  
1700 Twelve Wyandotte Plaza  
120 W. 12th St.  
Kansas City, MO 64105

Attorneys for Ocwen Loan Servicing, LLC f/k/a Ocwen Federal Bank, FSB

Todd W. Ruskamp, Esq.  
Shook, Hardy & Bacon, LLP  
2555 Grand Boulevard  
Kansas City, MO 64108-2613

Attorneys for Wendover Financial Services Corporation

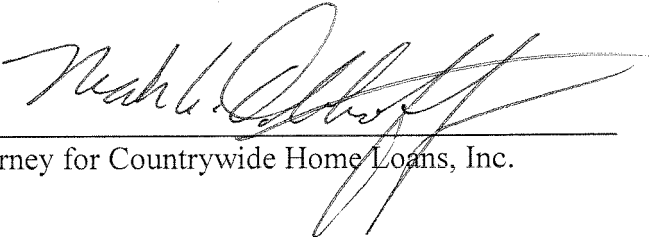
Terese A. Drew, Esq.  
Hinshaw & Culbertson LLP  
Gateway One  
701 Market Street  
St. Louis, MO 63101

Thomas F. Ging, Esq.  
Hinshaw & Culbertson LLP  
222 North LaSalle, Suite 300  
Chicago, IL 60601

Attorneys for FDIC

Richard L. Martin, Esq.  
Thomas J. Fritzlen, Jr., Esq.  
Martin, Leigh, Laws & Fritzlen, PC  
1044 Main Street  
400 Peck's Plaza  
Kansas City, MO 64105-2135

Attorneys for United Mortgage CB LLC



---

Attorney for Countrywide Home Loans, Inc.

	Document Date	Author	Recipient	Privilege	Description
1	Undated	Countrywide's Legal Department and Production Quality & Compliance Department		Attorney-client privilege	Communication regarding permissible fees for Missouri second mortgage loans originated by Countrywide or its divisions <sup>1</sup>

---

<sup>1</sup> Countrywide does not believe the document identified is responsive to plaintiffs' document requests in this case or relevant to the litigation. However, the document is logged because plaintiffs' counsel are aware of its existence from identification in a privilege log in another lawsuit in which Countrywide as originator of loans was sued. In that case, Judge Gaitan ruled that the document remained privileged and did not order its production. *See Washington v. Countrywide Home Loans, Inc.*, Case No. 08-00459-CV-W-FJG (W.D. Mo., Dec. 23, 2008) at 2 (ruling fee chart privileged); *see also* Order dated Aug. 14, 2009 (confirming earlier ruling).